



11-21-02

DAC / #6
(S)

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Application of:
Daniel T. Colbert, et al.

§ Serial No: 10/027,670
§
§ Filing date: December 21, 2001
§

For:
METHOD FOR FORMING COMPOSITE
ARRAYS OF SINGLE-WALL CARBON
NANOTUBES AND COMPOSITIONS
THEREOF

§ Group Art Unit: 2881
§
§ Examiner: Jack I. Bernhardt
§ 703.308.4849
§

Atty Dkt: 11321-P011C1D6

RECEIVED

NOV 22 2002

OFFICE OF PETITIONS

Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING
37 CFR 1.10

"EXPRESS MAIL" MAILING LABEL Number: EV013522924US

Pursuant to 37 C.F.R. § 1.10, I hereby certify that I am personally depositing this paper or fee with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above in a sealed envelope (a) having the above-numbered Express Mail label and sufficient postage affixed, and (b) addressed to the Commissioner for Patents, Washington, D.C. 20231.

20-NOV-2002

Date

Signature

Hugh R. Kress

Printed Name

ITEMIZATION AND SUBMISSION OF DEFICIENCY PAYMENT
UNDER 37 C.F.R. § 1.28

Sir:

Submitted herewith is a deficiency payment for the above-referenced application, itemized as follows:

<u>TYPE OF FEE</u>	<u>AMOUNT PAID</u>	<u>DATE PAID</u>	<u>CURRENT NON- SMALL ENTITY FEE AMOUNT</u>	<u>DEFICIENCY AMOUNT OWED</u>
Filing fee for this application, S.N. 10/027,670	\$ 370.00	12/21/2001	\$ 740.00	\$ 370.00
TOTAL DEFICIENCY AMOUNT OWED:				\$ 370.00

In connection with this particular patent application, the circumstances are such that the Assignee is uncertain whether it continues to be entitled to small entity status under 37 C.F.R.

§ 1.27, the Assignee having been certain of its small entity status in connection with this application until at least May, 1999. In view of Assignee's uncertainty in this regard, and in an abundance of caution, the Assignee hereby withdraws its designation of small entity status for this particular patent application and, accordingly submits this deficiency payment.

Nothing in this submission shall be construed as an assertion or admission of waiver or loss of small entity status as to any other application presently assigned to the Assignee or to be assigned to Assignee in the future.

A check in the amount of \$370.00 is enclosed. If the payment is missing or insufficient in amount, or if any other fees are determined to be due, the Assistant Commissioner, Commissioner, and/or the Director of the U.S. Patent & Trademark Office is/are hereby authorized to charge any fees or credit any overpayments to Winstead Sechrest & Minick Deposit Account No. 23-2426, referencing matter 11321-P011C1D6.

Respectfully submitted,

Date: 20-NOV-2002

Hugh R. Kress

Hugh R. Kress
Reg. No. 36,574
WINSTEAD SECHREST & MINICK P.C.
2400 Bank One Center
910 Travis Street
Houston, Texas 77002
(713) 650-2714 (voice)
(713) 650-2400 (fax)

ATTORNEY FOR ASSIGNEE